



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

DEC 01 2008

PROMPT REPLY NECESSARY
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

40314332



Superfund

Mr. James Stewart
6752 Big River Heights Road
DeSoto, Missouri 63020

Re: Request for Information Pursuant to Section 104 of CERCLA for Jefferson County Lead District Superfund Site, Jefferson County, Missouri.

Dear Mr. Stewart:

This letter seeks your cooperation in providing information and documents related to the delivery of contaminated soil, sand, gravel and/or rock from your property as recently as the weekend of November 22 – November 23, 2008. EPA has information that multiple truck loads of dirt were excavated and transported off your property located at 6752 Big River Heights Road in DeSoto, Missouri. As you will recall, EPA sent an information request letter to you on October 5, 2007, to which you responded. This letter seeks new information. We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request within seven (7) days of your receipt of this letter.

The United States Environmental Protection Agency ("EPA") is investigating lead contamination found in residential yards located in the Southwest Jefferson County Mining Superfund Site ("Site"), and has conducted sampling and removed lead contaminated soil, sand, gravel and/or rock from residential yards at the Site. EPA is conducting further investigation to identify potentially responsible parties ("PRPs") responsible for lead contaminated soil, sand, gravel and/or rock at the Site.

Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents. The specific information EPA is seeking can be found in Attachment A.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must support your claim for confidentiality.



If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information must be submitted within the time frame noted above.

Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to requests for submissions of required information.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

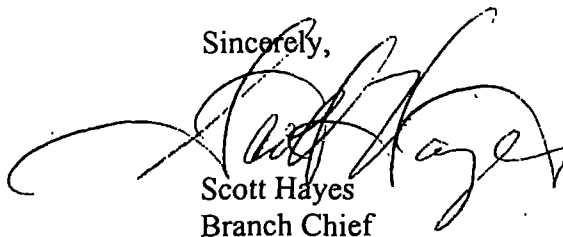
Included in this Information Request is a stamped, self-addressed envelope for you to mail your response back to EPA. Your response to this Information Request should be mailed to:

Kelley Catlin
Office of Regional Counsel
U. S. Environmental Protection Agency
901 North 5th Street
Kansas City, Kansas 66101.

If you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of response activities, please contact Jim Silver, On-Scene Coordinator at (636) 326-4724. However, if you have specific questions about the Information Request please contact Kelley Catlin, the attorney assigned to portions of the Site, at (913) 551-7110.

We appreciate and look forward to your prompt response to this information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Hayes", is written over the typed name.

Scott Hayes
Branch Chief
Enforcement/ Fund Lead- Removal Branch
Superfund Division

Enclosure

cc: Mr. Dennis Stinson, Chief, Superfund Section, Missouri Department of Natural Resources

Attachment A
Information Request to
James Stewart

EPA has provided an additional copy of this Information Request so that you may write your answer directly on the copy and return it to EPA. Please keep the original for your files. In your answer, please identify who answered the question, who may have been consulted in preparing the answer, and identify any and all documents consulted or referred to in preparation of your answer. If you do not have documents to support your answer, please explain why the documents are no longer available, and provide answers using the best of your recollection.

EPA has information that you excavated and transported multiple truck loads of lead contaminated soil from your property as recently as the weekend of November 22 – November 23, 2008. Please provide the following information: (1) a list including the name, address, and phone number of any person or company who transported the soil from your property during the last year; (2) the quantity, or number of truck loads, of soil transported from your property during the last year; (3) the dates the soil was transported from your property during the last year; and (4) a list of the locations where soil from your property was delivered, if known by you. Please provide any receipts or invoices you produced for your services.

Attachment A
Information Request to
James Stewart

EPA has provided an additional copy of this Information Request so that you may write your answer directly on the copy and return it to EPA. Please keep the original for your files. In your answer, please identify who answered the question, who may have been consulted in preparing the answer, and identify any and all documents consulted or referred to in preparation of your answer. If you do not have documents to support your answer, please explain why the documents are no longer available, and provide answers using the best of your recollection.

EPA has information that you excavated and transported multiple truck loads of lead contaminated soil from your property as recently as the weekend of November 22 – November 23, 2008. Please provide the following information: (1) a list including the name, address, and phone number of any person or company who transported the soil from your property during the last year; (2) the quantity, or number of truck loads, of soil transported from your property during the last year; (3) the dates the soil was transported from your property during the last year; and (4) a list of the locations where soil from your property was delivered, if known by you. Please provide any receipts or invoices you produced for your services.